IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLIATION NO.1342/06

Shri.Hanmant Damu Sonwane .... Applicant

V/s.

The State of Maharashtra .... Respondent

Shri.S.E. Kotwal Adv. for the applicant.
Shri.Y.S. Shinde APP for the State.

CORAM : V.M. KANADE, J.
DATED : 18/04/06

P.C.:-

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R.No.I-41/2005 registered with Manpada Police Station, Dombivli, District Thane, for the offences punishable U/s.393, 395, 397 and 427 of IPC.

3. It is alleged that the applicant alongwith others tried to commit dacoity and enter the house of the complainant. However, the complainant alongwith his brother attacked the accused. The present applicant was found on the spot and he was apprehended. In the present case, there is no

recovery at the instance of present applicant. He has been identified by the complainant. No role has been attributed to the present applicant.

4. Considering facts and circumstances of the case, this is a fit case for grant of bail. The applicant be released on bail in the sum of Rs.5,000/- with one or two sureties in like amount. The applicant shall report to Manpada Police Station, Dombivli, District Thane, twice in a month.

5. The applicant shall not tamper with the evidence or threaten the witnesses. If any complaint is received by the Investigating Officer, the Public Prosecutor is at liberty to file an application for cancellation of bail.

6. The Trial Court shall not be influenced by any observations made by this Court while deciding the application and they shall not be construed as an expression of opinion on merits of the case.

7. The application is accordingly disposed of.

V.M. KANADE J.